

WEDNESDAY, JANUARY 11, 1995

SECOND ORGANIZATIONAL DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Gary Carver, First Baptist Church, Chattanooga, Tennessee.

Representative McAfee led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96
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Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request under **Rule No. 20**:

Representative Venable; death in family.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) were introduced and placed on the Consent Calendar for Thursday, January 12, 1995:

House Joint Resolution No. 2 -- Memorials, Sports -- Marion County High School football team, District 3A TSSAA state champions. by *Rhinehart, *Rigsby.

House Joint Resolution No. 3 -- Memorials, Sports -- South Pittsburgh High School football team, 1994 District 2A TSSAA state champions. by *Rhinehart, *Rigsby.

House Joint Resolution No. 4 -- Memorials, Public Service -- Virginia Hudson, 1994 Outstanding Volunteer of the Year. by *Kisber.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolutions listed were introduced and held on the desk pending appointment of the appropriate standing committee:

***House Joint Resolution No. 1** -- General Assembly, Studies - Continues select joint committee on veteran's affairs. by *Bell.

State and Local Government Committee

***House Joint Resolution No. 5** -- General Assembly, Statement of Intent or Position - Provides for participation in Conference of the States. by *Purcell, *Bittle.

State and Local Government Committee

***House Joint Resolution No. 8** -- General Assembly -- Provides for acceptance of audits reports of comptroller and treasurer. by *Purcell, *Bittle.

Held on House desk.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 1** -- Criminal Procedure -- Enacts "Post Conviction Procedure Act." Amends TCA 40-26-105, Title 40, Chapter 30. by *Hargrove, *Purcell.

***House Bill No. 2** -- Statutes -- Codifies Public Acts of 1994. by *Purcell.

***House Bill No. 3** -- Driver Licenses -- Exempts active members of armed forces, spouse or dependent from obtaining Tennessee driver license if assigned to military installation located within state; establishes criteria for determining domicile. Amends TCA 55-50-304. by *Head, *McMillan.

***House Bill No. 4** -- Highway Signs -- "Lewis Memorial Bridge," Red River, U.S. 41A, Clarksville. by *Head, *McMillan.

***House Bill No. 5** -- Spencer -- Subject to local approval, removes criminal jurisdiction of town recorder; creates office of vice mayor. Amends Chapter 179, Private Acts of 1923, as amended. by *Rhinehart.

REPORTS FROM SELECT COMMITTEE

REPORT OF JOINT COMMITTEE
TO CANVASS RETURNS FROM THE ELECTION FOR GOVERNOR

We, the undersigned members of the Joint Committee of the House and Senate of the Ninety-ninth General Assembly, State of Tennessee, certify that we have this day carefully canvassed the official returns, which are on file in the office of the Secretary of State, from the election for Governor held throughout Tennessee on Tuesday, November 8, 1994. We find the tally of votes for that election is as follows:

Don Sundquist	807,104
Phil Bredesen	664,252
Stephanie E. Holt	9,981
Will Smith	3,365
Charlie Moffett	2,347
Write-ins	81

Respectfully submitted this the 9th day of January 1995.

Senator Don Wright, Co-Chair

Representative Lois DeBerry, Co-Chair

Senator Thelma Harper

Representative Bill Purcell

Senator Rusty Crowe

Representative H. E. Bittle

REPORT OF THE SELECT COMMITTEE TO REVIEW THE AUDITS
AND OPERATIONS OF THE COMPTROLLER OF THE TREASURY
AND THE DEPARTMENT OF THE TREASURY

On January 10, 1995, the select committee appointed by the Speaker of the Senate and Speaker of the House of Representatives, pursuant to Tennessee Code Annotated, Sections 8-4-102 and 8-5-102, to review the audits and operations of the Comptroller of the Treasury and the Department of the Treasury met in Room 31 of the Legislative Plaza. The select committee is composed of Senator Andy Womack and Representative Shelby Rhinehart, who served as co-chairmen, Senator Gene Elsea, Senator Danny Wallace, Representative Bill Purcell and Representative H. E. Bittle. A quorum was present. Mr. William R. Snodgrass, Comptroller of the Treasury, presented the following information to the committee:

1. An audit report of the Comptroller of the Treasury for the fiscal year ended June 30, 1994;
2. An audit report of the Department of the Treasury for the fiscal year ended June 30, 1994; and
3. A report entitled "State of Tennessee, Comptroller of the Treasury, Department of Audit, Quality Control Review for the year ended June 30, 1994" conducted under the direction of the National State Auditors Association.

Representative Rhinehart moved that the committee accept the audits of the Comptroller of the Treasury and the Department of the Treasury as being properly conducted and in compliance with all laws

and to report such action to the Senate and House of Representatives. Senator Womack seconded the motion which carried unanimously.

There being no further business, the committee adjourned, sine die.

Senator Andy Womack, Chairman
Senator Gene Elsea
Senator Danny Wallace

Rep. Shelby Rhinehart, Chairman
Rep. Bill Purcell
Rep. H. E. Bittle

MESSAGE FROM SENATE
January 11, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 6 and 7; both concurred in by the Senate.

CLYDE W.

McCULLOUGH, JR., Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Riggsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

MOTION TO RECESS

Pursuant to House Joint Resolution No. 7, Representative Purcell moved that the House stand in recess to meet with the Senate in Joint Convention for the purpose of electing the Comptroller and the Treasurer; and that at the conclusion of the Joint Convention, the House adjourn until 9:00 a.m., Thursday, January 12, 1995, which motion prevailed.

IN JOINT CONVENTION
Election of Constitutional Officers

The hour having arrived, set by House Joint Resolution No. 7, the House and Senate met in Joint Convention for the purpose of election of the Constitutional Officers.

President Wilder called the Joint Convention to order at 9:30 a.m.

On motion of Senator Crutchfield, the roll call of the Senate was dispensed with.

On motion of Representative Purcell, the roll call of the House of Representatives was dispensed with.

Thereupon, the Clerk of the Senate read House Joint Resolution No. 7 authorizing the Joint Convention.

Mr. President Wilder declared the first order of business is the Report of the Select Committee to Canvass the returns of the 1994 General Election for Governor.

REPORT OF SELECT COMMITTEES

Senator Wright moved that, pursuant to House Joint Resolution No. 6, the report to canvass the vote for Governor be adopted, which motion prevailed.

Mr. President Wilder declared the next order of business is the Report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of the Treasury.

Senator Womack moved that the Report of the Treasury and the Select Committee to audit the Comptroller of the Treasury be adopted, which motion prevailed.

ELECTION OF COMPTROLLER OF THE TREASURY

Mr. President Wilder declared the next order of business was the election of the Comptroller of the Treasury and that nominations were in order.

Rep. Purcell placed in nomination the name of the Honorable William Snodgrass of Davidson County, formerly of White County.

Senator Harper seconded the nomination of Mr. Snodgrass.

Representative Ridgeway moved that nominations cease and that the Clerks of the respective bodies be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following results:

For Mr. Snodgrass 33

The Clerk of the House called the roll of the House with the following results:

For Mr. Snodgrass 97

Representatives voting for Mr. Snodgrass were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigbsy, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Total vote for Mr. Snodgrass. 130

Mr. President Wilder declared the Honorable William Snodgrass duly, legally and constitutionally elected Comptroller of the Treasury for the ensuing two years.

Mr. President Wilder appointed the following committee to escort Mr. Snodgrass to the well of the House: Senators Dixon, Burks, and Gilbert; Representatives Curtiss, Chumney, and Bowers.

Mr. Snodgrass expressed his appreciation.

OATH OF OFFICE

The Oath of Office was administered to Mr. Snodgrass by the Honorable David H. Welles, Judge of the Court of Criminal Appeals.

ELECTION OF STATE TREASURER

Mr. President Wilder declared the next order of business was the election of the State Treasurer and that nominations were in order.

Representative L. DeBerry placed in nomination the name of the Honorable Steve D. Adams of Williamson County.

Senator Cooper seconded the nomination of Mr. Adams.

Representative Fowlkes moved that nominations cease and that the Clerks of the respective bodies be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following results:

For Mr. Adams 33

The Clerk of the House called the roll of the House with the following results:

For Mr. Adams 96
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Representatives voting for Mr. Adams were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Total votes for Mr. Adams:
. 129

Thereupon, Mr. President Wilder declared the Honorable Steve Adams duly legally and constitutionally elected State Treasurer for the ensuing two years.

Mr. President Wilder appointed the following committee to escort Mr. Adams to the well of the House: Senators Springer, Harper and Wallace; Representatives J. DeBerry, McMillan, and Williams (Williamson).

Mr. Adams expressed his appreciation.

OATH OF OFFICE

The Oath of Office was administered to Mr. Adams by the Honorable David H. Welles, Judge of the Court of Criminal Appeals.

Mr. President Wilder relinquished the Chair to Mr. Speaker Naifeh.

Thereupon, the purpose for which the Joint Convention was called having been accomplished, Mr. President Naifeh declared the Joint Convention dissolved.